



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

BRIAN O'HOLLORAN
and PATRICK J. FERGUSON

Serial No. : 09/863,074

Dated: March 5, 2003

Our File: CMI 304B

Filed : May 21, 2001

Group Art Unit: 3763

For : SURGICAL NEEDLE WITH
HAND-ACTUABLE LOCK MECHANISM

Examiner: Desanto, Matthew F.

Commissioner for Patents
BOX NON-FEE RESPONSES
Washington, D.C. 20231

Sir:

**AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT**

Responsive to the first Office action, applicant amends the above-identified application as follows:

In the Claims:

Please cancel without prejudice claims 6-17 and 27.

REMARKS

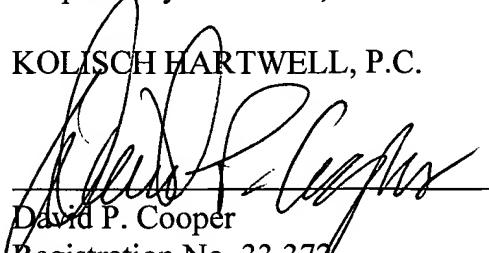
Responsive to the first Office action, applicant provisionally elects without traverse Invention I, Claims 1-5 and 18-26 focusing on a surgical needle. In addition, applicant elects Species A disclosed in Fig. 2, and applicant believes that claims 1-5 and 18-26 each cover

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that Species. Finally, applicant confirms that no amendment to inventorship is necessary based upon the above-identified cancellation of certain claims without prejudice.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

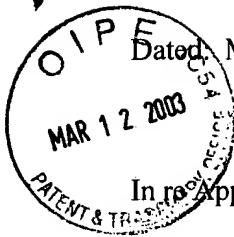


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, BOX NON-FEE RESPONSES, Washington, D.C. 20231 on March 5, 2003.

Mandi M. Leighty
Mandi M. Leighty



Dated: March 5, 2003

Our Case Docket No.: CMI 304B

3763

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BOX NON-FEE RESPONSES
Washington, D.C. 20231

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Sir:

Transmitted herewith is an AMENDMENT and RESPONSE TO
RESTRICTION REQUIREMENT for filing in the above-identified application:

No additional fee is required.

The fee has been calculated as shown below

Claims as Amended
SMALL ENTITY

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims remaining after amendment		Highest number previously paid for	Present extra		Additional Rate fee
Total						
Claims	14	Minus	27	0	\$ 09.00	= \$ 00.00
Independent Claims	2	Minus	4	0	\$ 42.00	= \$ 00.00
			This additional fee for this amendment			\$ 00.00

Please charge any additional fees or credit overpayment to Deposit Account No. 11-1540. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

KOLISCHHARTWELL, P.C.

David F. Cooper

Registration No. 33,372

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DPC:mml
Enclosures